

13-38a-101. Title.

- (1) This chapter is known as the "Financial Transaction Card Protection Act."
- (2) This part is known as "General Provisions."

Enacted by Chapter 421, 2013 General Session

13-38a-102. Definitions.

As used in this chapter:

(1) (a) "Financial transaction card" means any card, code, or other means of access to a person's account issued to a person that allows the person to obtain, purchase, or receive any of the following:

- (i) goods;
 - (ii) services;
 - (iii) money; or
 - (iv) anything else of value.
- (b) "Financial transaction card" includes:
- (i) a credit card;
 - (ii) a credit plate;
 - (iii) a bank services card;
 - (iv) a banking card;
 - (v) a check guarantee card;
 - (vi) a debit card;
 - (vii) a telephone credit card; and
 - (viii) a device for access as defined in Section 7-16a-102.

(2) "Receipt" means any document related to the transaction of business provided to a person that uses a financial transaction card.

(3) (a) "Seller" means a person that accepts payment by a financial transaction card.

- (b) "Seller" does not include:
- (i) a government entity; or
 - (ii) a person acting on behalf of a government entity.

(4) (a) "Surcharge" means an additional charge added to a transaction paid for by using a credit card, but not added to a transaction paid for by a means other than a credit card.

- (b) "Surcharge" does not include:
- (i) an exclusion from a discount that is offered on transactions paid for by means other than a credit card;
 - (ii) a fee charged by a credit card company for use of a credit card; or
 - (iii) a fee authorized under Section 7-16a-202.

Renumbered and Amended by Chapter 421, 2013 General Session

13-38a-201. Title.

This part is known as "Financial Transaction Card Receipts."

Enacted by Chapter 421, 2013 General Session

13-38a-202. Limitation on information contained in receipts.

- (1) A person that accepts a financial transaction card for the transaction of business may not, on a financial transaction card receipt:
 - (a) print more than the last five digits of the financial transaction card account number; or
 - (b) print the financial transaction card expiration date.
- (2)
 - (a) This section applies only to receipts that are electronically printed.
 - (b) This section does not apply to transactions in which the initial means of recording the financial transaction card number is by:
 - (i) handwriting; or
 - (ii) an imprint or copy of the financial transaction card.

Enacted by Chapter 421, 2013 General Session

13-38a-203. Private action.

- (1) A person may bring an action in any state court of competent jurisdiction against a person that violates any of the requirements of this chapter.
- (2) In an action under Subsection (1), a person may:
 - (a) recover the amount of any actual damages caused by the violation of this chapter;
 - (b) recover court costs and reasonable attorney fees as determined by the court; and
 - (c) seek to enjoin conduct in violation of this chapter.

Renumbered and Amended by Chapter 421, 2013 General Session

13-38a-301. Title.

This part is known as "Credit Card Surcharges."

Enacted by Chapter 421, 2013 General Session

13-38a-302. Credit card surcharges prohibited.

- (1) A seller may not impose a surcharge on a transaction for \$10,000 or less that is paid for by using a credit card.
- (2) This section does not prohibit a seller from offering a discount on a transaction that is paid for with a credit card that:
 - (a) is issued by the seller or an entity that is affiliated with the seller; or
 - (b) bears the seller's service mark or trademark.

Enacted by Chapter 421, 2013 General Session